

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:18-cr-03325-MLG

HOUSSAM ISSA,

Defendant.

ORDER ON MOTION FOR INQUIRY INTO
DEFENDANT’S ABILITY TO RETAIN COUNSEL

THIS MATTER is before the Court on the United States Motion for Inquiry into Defendant’s Ability to Retain Counsel, filed October 31, 2018. *See* Docs. 11, 17. The Court held a hearing on the motion on December 3, 2018. Doc. 16. At the hearing, defendant Houssam Issa’s counsel represented that he believed that Mr. Issa qualified for court-appointed counsel, but he also requested permission to submit an amended financial affidavit. *See id.* The United States did not object, and the Court gave Mr. Issa permission to submit an amended financial affidavit. The Court, however, has no record that an amended financial affidavit was submitted. The Court therefore orders Mr. Issa to submit an amended financial affidavit to the Clerk’s office to the attention of Natalie Maestas within 14 days of the date of this order. If Mr. Issa does not intend to submit an amended financial affidavit, he must submit a notice to that effect within 14 days of the date of this order. Mr. Issa may obtain a blank financial affidavit from the Clerk’s office.

The Court reminds Mr. Issa that if it is determined under 18 U.S.C. § 3006A(c) that he “is financially able to obtain counsel or to make partial payment for [his] representation, [the

Court] may terminate the appointment of counsel or authorize payment as provided in subsection (f), as the interests of justice may dictate.” In 2018, the Court found that Mr. Issa qualified for court-appointed counsel based on his original financial affidavit. Doc. 7. If Mr. Issa chooses not to submit an amended financial affidavit, the Court will assume that Mr. Issa’s original affidavit was accurate, that his financial situation has not changed, and that he still qualifies for court-appointed counsel. If the United States later presents evidence that Mr. Issa is able to pay or partially pay for his counsel, the Court may order Mr. Issa to reimburse the government for those expenses.

IT IS SO ORDERED.

DATED this 20th day of March 2023.



Laura Fashing
United States Magistrate Judge